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<b>(21) International Application Number:</b> PCT/NL98/00377 <b>(22) International Filing Date:</b> 1 July 1998 (01.07.98) <b>(30) Priority Data:</b> 1006444 1 July 1997 (01.07.97) NL <b>(71) Applicant (for all designated States except US):</b> INSTITUUT VOOR AGROTECHNOLOGISCH ONDERZOEK (ATO-DLO) [NL/NL]; P.O. Box 17, NL-6700 AA Wageningen (NL). <b>(72) Inventors; and</b> <b>(75) Inventors/Applicants (for US only):</b> VAN SOEST, Jeroen, Johannes, Gerardus [NL/NL]; Broekmalaan 2, NL-6703 GL Wageningen (NL). VAN SCHIJNDEL, Renée, Josie, Gide [NL/NL]; Sterappel 33, NL-4191 DM Geldermalsen (NL). GOTLIEB, Kornelis, Fester [NL/NL]; Wildervankstraat 12, NL-9643 LC Wildervank (NL). <b>(74) Agent:</b> DE BRUIJN, Leendert, C.; Nederlandsch Octrooibureau, Scheveningseweg 82, P.O. Box 29720, NL-2502 LS The Hague (NL).		<b>(81) Designated States:</b> AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GE, GH, GM, GW, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG).  <b>Published</b> <i>With international search report.</i> <i>Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i>
<b>(54) Title:</b> ENCAPSULATION OF ACTIVE INGREDIENTS  <b>(57) Abstract</b>  Microspheres having a particle size of 50 nm to 1 µm and a polydispersity of less than 40 %, consisting of a chemically cross-linked starch shell containing an active ingredient, are obtained by preparing an oil-in-water emulsion of the active ingredient in a hydrophobic phase and starch or a dispersion of a solid active ingredient and starch in water, incorporating the oil-in-water emulsion or solid dispersion in an outer hydrophobic phase, particles of the oil-in-water emulsion or solid dispersion being formed in the outer hydrophobic phase, cross-linking the starch or derivative thereof and removing the outer hydrophobic phase if desired.		

(19)



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(54) **Absorbing material based on starch having improved absorbent properties and process for the preparation thereof**

(57) A biodegradable, highly water-absorbing polymer based on starch or derivatives thereof is described, wherein the starch has not been chemically modified or only to a degree of substitution below 0.2, and has a water-absorbing power of at least 10 times its own weight, half of the water absorption being attained within 3 minutes.

A process for producing such a water-absorbing polymer is also described, the process comprising modifying and treating the starch in a co-continuous water-oil or oil-water system in such a way that an open, slightly crosslinked structure is fixated.

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Soviet Union	1397205-15	1397205	The numbers following the slash denote the examination division and a processing division.
United States [US]	889877	889877	The highest number assigned in the series of numbers started in January 1960. New series started in January 1970, January 1979, D January 1987, January 1993, and January 1998.
# ICIREPAT Country Code is indicated in brackets, e.g., [AR].			
D In order to distinguish utility model applications from patent applications, it is necessary to identify them as to type of application in citations or references. This may be done by using the name of the application type in conjunction with the number or by using the symbol "U" in brackets or other enclosure following the number.			

### 201.15 Right of Priority, Overcoming a Reference

The only times during *ex parte* prosecution that the examiner considers the merits of an applicant's claim of priority is when a reference is found with an effective date between the date of the foreign filing and the date of filing in the United States and when an interference situation is under consideration. If at the time of making an action the examiner has found such an intervening reference, he or she simply rejects whatever claims may be considered unpatentable thereover, without paying any attention to the priority date (assuming the papers have not yet been filed). The applicant in his or her reply may argue the rejection if it is of such a nature that it can be argued, or present the foreign papers for the purpose of overcoming the date of the reference. If the applicant argues the reference, the examiner, in the next action in the application, may specifically require the foreign papers to be filed in addition to repeating the rejection if it is still considered applicable, or he or she may merely continue the rejection.

Form paragraph 2.19 may be used in this instance.

#### ¶ 2.19 Overcome Rejection by Translation

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

#### Examiner Note

This paragraph should follow a rejection based on an intervening reference.

In those cases where the applicant files the foreign papers for the purpose of overcoming the effective date of a reference, a translation is required if the foreign papers are not in the English language. When the examiner requires the filing of the papers, the translation should also be required at the same time. This translation must be filed together with a statement that the translation of the certified copy is accurate. When the necessary papers are filed to overcome the date of the reference, the examiner's action, if he or she determines that the applicant is not entitled to the priority date, is to repeat the rejection on the reference, stating the reasons why the applicant is not considered entitled to the date. If it is determined that the applicant is entitled to the date, the rejection is withdrawn in view of the priority date.

If the priority papers are already in the file when the examiner finds a reference with the intervening effective date, the examiner will study the papers, if they are in the English language, to determine if the applicant is entitled to their date. If the applicant is found to be entitled to the date, the reference is simply not used but may be cited to applicant on form PTO-892. If the applicant is found not entitled to the date, the unpatentable claims are rejected on the reference with an explanation. If the papers are not in the English language and there is no translation, the examiner may reject the unpatentable claims and at the same time require an English translation for the purpose of determining the